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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *24 February 2009*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *2-12,15 and 23-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *2-12,15 and 23-30* is/are rejected.

7) ☒ Claim(s) *2-11 and 27-30* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some *   c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *2/25/09*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

The amendment received on February 25, 2009 is acknowledged and entered.

Claims 12, 15, and 23 have been amended. Claims 1, 13-14, and 16-22 have been

canceled. Claims 24-30 have been added. Claims 2-12, 15, and 23-30 are currently

pending.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

February 25, 2009 has been entered.

Response to Amendments and Arguments

1.   Applicant's arguments filed February 25, 2009 have been fully considered but

they are not persuasive.

2.   Applicant's argument is that in regards to claims 5-12, 15, and 23, these claims

recite, or incorporate, features that are not disclosed or suggested by the proposed

combination of Tiedemann, Patel, Guilford, Kowarsch, and Greene because

independent claim 12, for example, recites "determining a subcontracted processing

service is" required from a different service provider" and "grouping together individual

packets" of data that require the subcontracted processing service as a new segment."

Independent claim 12 also recites "subcontracting the new segment to the different

service provider to receive the subcontracted processing service" and "receiving a

subcontracted result of the subcontracted processing service." Independent claims 15

and 23 recite similar features. The Examiner notes that it appears that the steps

"determining a subcontracted processing service is required from a different service

provider; grouping together individual packets of data that require the subcontracted

processing service as a new segment; subcontracting the new segment to the different

service provider to receive the subcontracted processing service; and receiving a

subcontracted result of the subcontracted processing service" are not necessary

because in the previous step, the request for fulfilling the communications service has

been declined. Therefore, it is not clear how any person skilled in the art is enabled to

make or use the invention. Therefore, the 112 rejection under 35 U.S.C is upheld for

claims 2-12, 15, and 24-26.

3.   Applicant's arguments with respect to claims 23 and 27-30 has been considered

but is moot in view of the new ground(s) of rejection.

4.   In response to Applicant's argument regarding claims 2-4, the Examiner

respectfully disagrees for all the reasons stated above for claims 2-12, 15, and 24-26.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 02/25/2009 is in compliance

with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is

being considered by the examiner. A copy of PTO-1449 is attached hereto.

Specification

5.   Applicant is reminded of the proper language and format for an abstract of the

disclosure.

The abstract should be in narrative form and generally limited to a single
paragraph on a separate sheet within the range of 50 to 150 words. It is important that
the abstract not exceed 150 words in length since the space provided for the abstract
on the computer tape used by the printer is limited. The form and legal phraseology
often used in patent claims, such as "means" and "said," should be avoided. The
abstract should describe the disclosure sufficiently to assist readers in deciding whether
there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in
the title. **It should avoid using phrases which can be implied, such as, "The
disclosure concerns," "The disclosure defined by this invention," "The disclosure
describes," etc**. (emphasis added). In this case the Abstract begins with " Methods,
systems, and products are disclosed for providing communications services".
Appropriate correction is required.

Claim Objections

6.   Claims **2-11** are objected to because of the following informalities:

In claims **2-11**, respectively, in the first line, "A method" should be "The method".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7.   Claims **2-12, 15,** and **24-26** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It appears that the steps "if a determination is made that the user will pay on-time and in-full for the requested communications service, then: negotiating with other service providers to fulfill the request for communications service; accessing a segmentation profile containing user preferences for presenting billing charges from the other service providers; determining a subcontracted processing service is required from a different service provider; grouping together individual packets of data that require the subcontracted processing service as a new segment; subcontracting the new segment from the service provider's server to the different service provider to receive the subcontracted processing service; and receiving a subcontracted result of the subcontracted processing service" are not necessary because in the previous step, the request for fulfilling the communications service has been declined. Therefore, it is not clear how any person skilled in the art is enabled to make or use the invention.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8.   Claims **23 and 27-30** are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

35 USC 101 requires that in order to be patentable the invention must be a "new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof" (emphasis added). Applicant's claims mentioned above are intended to embrace or overlap two different statutory classes of invention as set forth in 35 USC 101. The claims begin by discussing a system (ex. preamble of claims 23), the body of the claim discusses the specifics of the method executed by the system (see above rejection of claims under 35 USC 112, second paragraph, for specific details regarding this issue). "A claim of this type is precluded by the express language of 35 USC 101 which is drafted so as to set forth the statutory classes of invention in the alternative only", Ex parte Lyell (17 USPQ2d 1548).

9.   Claims 23 and 27-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to a computer program, without the computer-readable medium needed to realize the computer program's functionality. Therefore, the claim is directed to nonstatutory functional descriptive material. See MPEP 2106.01(I).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims **2-6, 9, 12, 15,** and **24-26** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Tiedemann, Jr. et. al (US Patent Number 5,862,471), in view of

"Sample Selection in credit-scoring models" hereinafter referred to as "Greene", still in

further view of Kowarsch (US PG Pub. 2004/0132449).

11.   **As per claim 2**, Tiedemann, Jr. et al. discloses the method according to claim

12 as described above, but does not disclose the step of extending trust-based credit

to the user based on an algorithm in which the user's historical payment information, the

user's historical usage information, and the user's credit card information are variables.

Greene discloses the second application is a direct extension, in order to predict

the expenditures of a credit-card applicant, one must consider that spending behavior is

clearly tied to the same behavior that induces default. This application involves a

continuous variable and is very similar to the income example given above. Finally, we

examine a variable which is apparently of great interest to credit scorers, the number of

derogatory reports in an applicant's credit history (page 301, 2nd ¶).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the invention of Tiedemann, Jr. et al. to include

the feature of Greene in order to reduce the credit risk for the providers based on

analysis of credit-worthiness of customers.

As per claim 3, Tiedemann et al. does not expressly disclose wherein the step of extending trust-based credit to the user comprises linearly predicting the user will pay for the requested communications service based upon at least one of the user's payment history, the user's usage history, and the user's credit history.

Greene discloses the most common technique used for credit scoring is linear discriminant analysis which rests on the assumption that there are two populations of individuals, which we denote as '1' and "0", each characterized by a multivariate distribution of a set of attributes, x, including such factors as age, income, family size, credit history, occupation, and so on (page 302, 2nd ¶). Greene further discloses the second application is a direct extension, in order to predict the expenditures of a credit-card applicant, one must consider that spending behavior is clearly tied to the same behavior that induces default. This application involves a continuous variable and is very similar to the income example given above. Finally, we examine a variable which is apparently of great interest to credit scorers, the number of derogatory reports in an applicant's credit history (page 301, 2nd ¶).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the feature of Greene in order to reduce the credit risk for the providers based on analysis of credit-worthiness of customers.

Greene does not expressly disclose the linear predicting is based on the user's ability to pay for communications service.

Kowarsch discloses home networks usually have more stringent credit requirements for allowing a user to enable roaming and the home network may carry out a credit check and may ask the user to pay a deposit; and in some circumstances home networks will only allow a mobile phone to roam if additional arrangements are in place to settle charges incurred in the visited network. This may require the owner of the mobile phone to supply the home network with the authority to charge their credit card directly before they will enable the roaming facility. Thus, unless a user has made prior arrangements with their home network to enable the roaming facility they may not be able to roam in a visited network ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the system of Kowarsch in order to provide the user the ability to roam by using others' communications service if the credit check proves to present positive information regarding the user since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 4, Tiedemann, Jr. et al. discloses the method according to claim 12 as described above, but does not expressly disclose extending trust-based credit to the user based upon the user's payment history, the user's usage history, and the user's

credit history, wherein the trust-based credit is extended even though another service provider of another communications network may provide the communications service.

Greene discloses the most common technique used for credit scoring is linear discriminant analysis which rests on the assumption that there are two populations of individuals, which we denote as '1' and "0", each characterized by a multivariate distribution of a set of attributes, x, including such factors as age, income, family size, credit history, occupation, and so on (page 302, 2nd ¶). Greene further discloses the second application is a direct extension, in order to predict the expenditures of a credit-card applicant, one must consider that spending behavior is clearly tied to the same behavior that induces default. This application involves a continuous variable and is very similar to the income example given above. Finally, we examine a variable which is apparently of great interest to credit scorers, the number of derogatory reports in an applicant's credit history (page 301, 2nd ¶).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the feature of Greene in order to reduce the credit risk for the providers based on analysis of credit-worthiness of customers.

Greene does not expressly disclose the linear predicting is based on the user's ability to pay for communications service.

Kowarsch discloses home networks usually have more stringent credit requirements for allowing a user to enable roaming and the home network may carry out a credit check and may ask the user to pay a deposit; and in some circumstances

home networks will only allow a mobile phone to roam if additional arrangements are in place to settle charges incurred in the visited network. This may require the owner of the mobile phone to supply the home network with the authority to charge their credit card directly before they will enable the roaming facility. Thus, unless a user has made prior arrangements with their home network to enable the roaming facility they may not be able to roam in a visited network ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the system of Kowarsch in order to provide the user the ability to roam by using others' communications service if the credit check proves to present positive information regarding the user since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 5, Tiedemann, Jr. et al. discloses a method according to claim 12, further comprising the step of billing the user for the communications service (col. 2, lines 46-49) .

As per claim 6, Tiedemann, Jr. et al. discloses a method according to claim 12, further comprising the step of aggregating billing charges between the other service providers of the other communications networks (col. 2, lines 46-49).

As per claim 9, Tiedemann, Jr. et al. discloses a method according to claim 1, further comprising the step of providing the requested communications service (col. 2, lines 28-33).

As per claim 12, Tiedemann, Jr. et al. disclose a method, computer program product, and system for providing communications services, comprising the steps of:

receiving a request for communications service, at a service provider's server that originates from a user's client device (abstract); and

Tiedemann, Jr. et al. does not expressly disclose linearly predicting whether the user will pay on-time and in-full for the requested communications service based on a determination whether the user timely paid in-full for previous communications services;

Greene discloses the most common technique used for credit scoring is linear discriminant analysis which rests on the assumption that there are two populations of individuals, which we denote as '1' and "0", each characterized by a multivariate distribution of a set of attributes, x, including such factors as age, income, family size, credit history, occupation, and so on (page 302, 2nd ¶). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the credit scoring technique of Greene in order to provide service providers the ability to provide communication services based on credit-worthiness to reduce risk of loss from unpaid services.

Tiedemann, Jr. et al. in view of Greene does not expressly disclose if a determination is made that the user will not pay on-time and in-full for the requested communications service.

Kowarsch discloses home networks usually have more stringent credit requirements for allowing a user to enable roaming and the home network may carry out a credit check and may ask the user to pay a deposit; and in some circumstances home networks will only allow a mobile phone to roam if additional arrangements are in place to settle charges incurred in the visited network. This may require the owner of the mobile phone to supply the home network with the authority to charge their credit card directly before they will enable the roaming facility. Thus, unless a user has made prior arrangements with their home network to enable the roaming facility they may not be able to roam in a visited network ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the system of Kowarsch in order to provide the user the ability to roam by using others' communications service if the credit check proves to present positive information regarding the user since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 15, Tiedemann, Jr. et al. discloses a computer program product comprising computer readable medium storing processor-executable instructions for

performing a method of providing communications services, the method comprising:

receiving a request for communications service, at a service provider's server that originates from a user's client device (abstract); and

Tiedemann, Jr. et al. does not expressly disclose linearly predicting whether the user will pay on-time and in-full for the requested communications service based on a determination whether the user timely paid in-full for previous communications services;

Greene discloses the most common technique used for credit scoring is linear discriminant analysis which rests on the assumption that there are two populations of individuals, which we denote as '1' and "0", each characterized by a multivariate distribution of a set of attributes, x, including such factors as age, income, family size, credit history, occupation, and so on (page 302, 2nd ¶). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the credit scoring technique of Greene in order to provide service providers the ability to provide communication services based on credit-worthiness to reduce risk of loss from unpaid services.

Tiedemann, Jr. et al. in view of Greene does not expressly disclose if a determination is made that the user will not pay on-time and in-full for the requested communications service.

Kowarsch discloses home networks usually have more stringent credit requirements for allowing a user to enable roaming and the home network may carry out a credit check and may ask the user to pay a deposit; and in some circumstances home networks will only allow a mobile phone to roam if additional arrangements are in

place to settle charges incurred in the visited network. This may require the owner of

the mobile phone to supply the home network with the authority to charge their credit

card directly before they will enable the roaming facility. Thus, unless a user has made

prior arrangements with their home network to enable the roaming facility they may not

be able to roam in a visited network ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the invention of Tiedemann, Jr. et al. to include

the system of Kowarsch in order to provide the user the ability to roam by using others'

communications service if the credit check proves to present positive information

regarding the user since the claimed invention is merely a combination of old elements,

and in the combination each element merely would have performed the same function

as it did separately, and one of ordinary skill in the art would have recognized that the

results of the combination were predictable.

As per claim 24, Tiedemann, Jr. et al. discloses the computer program product

according to claim 15 as described above, but does not expressly disclose extending

trust-based credit to the user based upon an algorithm in which the user's historical

payment information, the user's historical usage information, and the user's credit card

information are variables.

Greene discloses the second application is a direct extension, in order to predict

the expenditures of a credit-card applicant, one must consider that spending behavior is

clearly tied to the same behavior that induces default. This application involves a

continuous variable and is very similar to the income example given above. Finally, we examine a variable which is apparently of great interest to credit scorers, the number of derogatory reports in an applicant's credit history (page 301, 2nd ¶).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the feature of Greene in order to reduce the credit risk for the providers based on analysis of credit-worthiness of customers.

As per claim 25, Tiedemann, Jr. et al. disclose the computer program product according to claim 15 as described above, but does not expressly disclose extending trust-based credit to the user based upon the user's payment history, the user's usage history, and the user's credit history, wherein the trust-based credit is extended even though another service provider of another communications network may provide the communications service.

Greene discloses the most common technique used for credit scoring is linear discriminant analysis which rests on the assumption that there are two populations of individuals, which we denote as '1' and "0", each characterized by a multivariate distribution of a set of attributes, x, including such factors as age, income, family size, credit history, occupation, and so on (page 302, 2nd ¶). Greene further discloses the second application is a direct extension, in order to predict the expenditures of a credit-card applicant, one must consider that spending behavior is clearly tied to the same behavior that induces default. This application involves a continuous variable and is

very similar to the income example given above. Finally, we examine a variable which is apparently of great interest to credit scorers, the number of derogatory reports in an applicant's credit history (page 301, 2nd ¶).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the feature of Greene in order to reduce the credit risk for the providers based on analysis of credit-worthiness of customers.

Greene does not expressly disclose the linear predicting is based on the user's ability to pay for communications service.

Kowarsch discloses home networks usually have more stringent credit requirements for allowing a user to enable roaming and the home network may carry out a credit check and may ask the user to pay a deposit; and in some circumstances home networks will only allow a mobile phone to roam if additional arrangements are in place to settle charges incurred in the visited network. This may require the owner of the mobile phone to supply the home network with the authority to charge their credit card directly before they will enable the roaming facility. Thus, unless a user has made prior arrangements with their home network to enable the roaming facility they may not be able to roam in a visited network ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the system of Kowarsch in order to provide the user the ability to roam by using others' communications service if the credit check proves to present positive information

regarding the user since the claimed invention is merely a combination of old elements,

and in the combination each element merely would have performed the same function

as it did separately, and one of ordinary skill in the art would have recognized that the

results of the combination were predictable.

As per claim 26, Tiedemann, Jr. et al. discloses the computer program product

according to claim 15, further comprising code for billing the user for the

communications service (col. 2, lines 46-49) .

12.   Claims **7-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Tiedemann, Jr. et al. (US Patent Number 5,862,471), in view of "Sample Selection in

credit-scoring models" (hereinafter referred to as "Greene"), still in further view of

Kowarsch (US PG Pub. 2004/0132449) as applied to claim 12 above, and further in

view of Friedes (US Patent Number 5,771,282).

As per claim 7, Tiedemann, Jr. et al. discloses the method according to claim 12

as described above, but does not expressly disclose communicating a single billing

statement from a single service provider, the single billing statement aggregating billing

charges between the other service providers of the other communications networks.

Friedes discloses such billing information is then sent to the IXC billing system 64

for aggregation with the subscriber's telecommunications services bill. Thus, all that is

necessary to accomplish such aggregation is to utilize the same common account

number, as loaded in the SD 54. In the same fashion, billing information for telephone

credit card calls could be aggregated by first associating a common account number

with such card calls during the verification process. Thereafter, the billing information

would be sent to the billing system 64 for aggregation with the other charges

associated with the common account number (col. 5, lines 1-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the invention of Tiedemann, Jr. et al. for the

convenience of providing the user with one bill for services.

As per claim 8, Tiedemann, Jr. et al. discloses the method according to claim 12

as described above, but does not expressly disclose electronically communicating a

single billing statement to the client communications device, the single billing statement

aggregating billing charges between the other service providers of the other

communications networks.

Friedes discloses such billing information is then sent to the IXC billing system 64

for aggregation with the subscriber's telecommunications services bill. Thus, all that is

necessary to accomplish such aggregation is to utilize the same common account

number, as loaded in the SD 54. In the same fashion, billing information for telephone

credit card calls could be aggregated by first associating a common account number

with such card calls during the verification process. Thereafter, the billing information

would be sent to the billing system 64 for aggregation with the other charges associated

with the common account number (col. 5, lines 1-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the invention of Tiedemann, Jr. et al. to include

the billing system of Friedes for the convenience of providing the user with one bill for

services. Friedes does not expressly disclose electronically communicating a single

billing statement to the client communications device however, the Examiner takes

Official notice that it is old and well known to send bills via e-mail to computers, hand

held devices, mobile phones etc. for the purpose of reducing paper. Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify the invention of Tiedemann, Jr. et al. to include the feature of

electronically notifying a user of bills via e-mail for the purpose of user convenience.

13.   Claim **10** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Tiedemann, Jr. et al. (US Patent Number 5,862,471), in view of "Sample Selection in

credit-scoring models" (hereinafter referred to as "Greene"), still in further view of

Kowarsch (US PG Pub. 2004/0132449) as applied to claim 12 above, and further in

view of Uhlik (US PG Pub. 2007/0112948).

     As per claim 10, Tiedemann, Jr. discloses the method according to claim 12 as

described above, but does not expressly disclose billing a credit card for the aggregated

charges.

     Uhlik discloses roaming company accounting server functions: [0105] maintain

credit card account for each subscriber ([0105]); and maintain WLAN operator's credit

card account ([0113]). Therefore, it would have been obvious to one of ordinary skill in

the art at the time the invention was made to modify the invention of Tiedemann, Jr. et

al. to include credit card payment feature of Uhlik in order to permit the users to

conveniently make payments since the claimed invention is merely a combination of old

elements, and in the combination each element merely would have performed the same

function as it did separately, and one of ordinary skill in the art would have recognized

that the results of the combination were predictable.

14.   Claim **11** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Tiedemann, Jr. et al. (US Patent Number 5,862,471), in view of "Sample Selection in

credit-scoring models" (hereinafter referred to as "Greene"), still in further view of

Kowarsch (US PG Pub. 2004/0132449) as applied to claim 12 above, and further in

view of Patel (US Patent Number 7,043,225).

As per claim 11, Tiedemann et al. discloses the method according to claim 12,

but does not expressly disclose allocating additional network bandwidth to fulfill the

request for communications service, the allocation of additional network bandwidth

based upon the user's payment history and usage history.

Kowarsch discloses home networks usually have more stringent credit

requirements for allowing a user to enable roaming and the home network may carry

out a credit check and may ask the user to pay a deposit; and in some circumstances

home networks will only allow a mobile phone to roam if additional arrangements are in

place to settle charges incurred in the visited network. This may require the owner of

the mobile phone to supply the home network with the authority to charge their credit

card directly before they will enable the roaming facility. Thus, unless a user has made

prior arrangements with their home network to enable the roaming facility they may not be able to roam in a visited network ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the credit check feature of Kowarsch in order to provide service providers the ability to provide communication services based on credit-worthiness to reduce risk of loss.

Tiedemann, Jr et al., in view of Greene, and in further view of Kowarsch does not expressly disclose additional network bandwidth to fulfill the request for communications service, the allocation of additional network bandwidth based upon the user's payment history and usage history.

However Patel et al. discloses Internet gateway for brokering and negotiating wireless transmission resources between users and service providers. In particular, a web site is provided at which consumers may specify a location, time, bandwidth, type of service and/or pricing of desired services and submit request for services. In this way, consumers may easily request and negotiate with network providers, service providers and bandwidth brokers for wireless services (col. 2, line 53-col. 3, lines 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Tiedemann, Jr. et al. to include the feature of Patel et al. in order to provide service providers the ability to provide communication services based on credit-worthiness to reduce risk of loss.

Conclusion

Allowable Subject Matter

15.   The following is an examiner's statement of reasons for allowance:

A) the prior art for example:

(1) Tiedemann, Jr. et al. (US Patent Number 5,862,471), which discloses a method and apparatus for providing roaming indication with charge information;

(2) Greene, which discloses "Sample selection in credit-scoring models", March 31, 1998, Dept of Econ, Stern School of Business, NYU, Elsevier Science, Japan and the World Economy, pgs 299-316; and

(3) Patel (Us patent number 7,043,225) which discloses a method and system for brokering bandwidth in a wireless communications network.

16.   However, in regard to claims **23** and **27-30**, the prior art does not teach or suggest specific manner in which the individual packets of data are grouped together that require the subcontracted processing service as a new segment as recited in these claims.

17.   Claim **23** would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 101, set forth in this Office action.

18.   Claims **27-30** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.   As allowable subject matter has been indicated, applicant's response must either comply with all formal requirements or

specifically traverse each requirement not complied with. See 37 C.F.R. § 1.111(b)

and section 707.07(a) of the M.P.E.P.

19.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-

7076. The examiner can normally be reached on Monday - Friday, 10:00 AM -6:30 PM.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

       Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

       For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like

assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-

1000.

/F. A. N./
Examiner, Art Unit 3628

                                                    /FREDA A. NELSON/

Examiner, Art Unit 3628